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March 31, 2020

Indiana Utility Regulatory Commission
ATTN: Jeremy Comeau
Assistant General Counsel
URCComments@urc.IN.gov

Re: Comments Regarding Proposed Changes to 170 IAC Article 15 Governing the Sub-billing of Water and Sewer Service by Landlords and Associations

Mr. Comeau,

Please find our suggestions and reasonings below:

Suggestion: Allow a Consumer Price Index (“CPI”) increase to the \$4.00 administrative fee.

Reasoning: The \$4.00 administrative fee was introduced twelve years ago in 2008. Since then, the inflation rate has increased 19% in the past ten years. Other jurisdictions have allowed for the billing fee to be adjusted each calendar year to account for the CPI increase as determined by the Department of Finance. (See Cal Civ Code § 1954.201 - 1954.219)

Suggestion: 170 IAC 15-2-0.5 Requirements of a Sub-Bill: Delete “(3) Issue sub-bills only after the landlord or association has remitted payment to the water or sewer utility for the total net charges that will be sub-billed.”

Reasoning: The management of this requirement is complex and burdensome, especially when bills are issued by a third-party utility billing company. Utility bills are already issued in arrears and this requirement would push the utility bills out even further.

Suggestion: 170 IAC 15-2-2(1)(B)(ii) Charges for Water or Sewage Service Usage: Add “For landlords sub-billing tenants, the landlord shall deduct the landlord’s usage. **(a) For landlord’s usage that is separately metered or billed, the landlord shall deduct the actual usage. (b) For landlord’s usage that is not separately metered or billed, the landlord shall deduct 10% of the master-meter bill before allocating the remaining amount to the tenants via an allocation method.**

Reasoning: A standard common area deduction should be included to avoid the uncertainty of how much the common area deduction should be when it is not possible to know the actual usage to deduct.

Please reach out to me directly should you have any questions regarding the above suggestions.

Regards,

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